

1 MATTHEW T. GREGORY # F0205

Attorney General

2 GREGORY BAKA # F0199

Deputy Attorney General

3 OFFICE OF THE ATTORNEY GENERAL

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7 Attorneys for Defendants Commonwealth of the Northern Mariana Islands,

Nicole C. Forelli, William C. Bush, D. Douglas Cotton, L. David Sosebee,

8 Andrew Clayton, and Pamela S. Brown

9 UNITED STATES DISTRICT COURT

10 FOR THE NORTHERN MARIANA ISLANDS

11 ROBERT D. BRADSHAW,

12 Plaintiff,

13 vs.

14 COMMONWEALTH OF THE NORTHERN)
 15 MARIANA ISLANDS, NICOLE C. FORELLI,)
 former Acting Attorney General of the CNMI, in her)
 16 personal/ individual capacity, WILLIAM C. BUSH,)
 former Assistant Attorney General of the CNMI, in his)
 17 personal/ individual capacity, D. DOUGLAS)
 COTTON, former Assistant Attorney General of the)
 18 CNMI, in his personal/ individual capacity, L. DAVID)
 SOSEBEE, former Assistant Attorney General of the)
 19 CNMI, in his personal/ individual capacity, ANDREW)
 CLAYTON, former Assistant Attorney General of the)
 20 CNMI, in his personal/ individual capacity,)
 UNKNOWN AND UNNAMED PERSONS IN THE)
 21 CNMI, in their personal/ individual capacities,)
 PAMELA S. BROWN, former Attorney General of)
 22 the CNMI, in her personal/ individual capacity,)
 ROBERT A. BISOM, AND JAY H. SORENSEN,)
 23

24 Defendants.

CIVIL ACTION NO. 05-0027

EX PARTE APPLICATION UNDER
 LOCAL RULE 7.1 TO INCREASE TIME
 FOR BRIEFING RE PLAINTIFF'S
 MOTION FOR PARTIAL SUMMARY
 JUDGMENT; CERTIFICATE MADE
 PURSUANT TO
 RULE 7.1.h.3(b);
 DECLARATION IN SUPPORT

Date: Thursday, 15 March 2007

Time: 9:30 a.m.

Judge: Hon. Alex R. Munson

1 CERTIFICATE PURSUANT TO LOCAL RULE 7.1.h.3(b)

2 I, GREGORY BAKA, certify as follows:

3 A. The address and phone number of the plaintiff, who is without counsel, is: P.O. Box 473,
4 1530 Trout Creek Road, Calder, Idaho 83808. Phone: 208-245-1691, no fax.

5 The address of defendant Jay H. Sorensen, who appears pro se, is c/o Shanghai, P.O. Box 9022,
6 Warren, MI 48090-9022. Telephone: 86-21-5083-8542; Facsimile: 86-21-5083-8542.

7 The name and address of counsel for defendant Bisom is Mark B. Hanson, Esq. # F0261,
8 Macaranas Building, 1st Floor, Beach Road, Garapan PMB 738, P. O. Box 10,000, Saipan, MP 96950-
9 8900. Phone: (670) 233-8600 Facsimile: (670) 233-5262.

10 I am one of the attorneys for defendants Commonwealth of the Northern Mariana Islands,
11 Nicole C. Forelli, William C. Bush, D. Douglas Cotton, L. David Sosebee, Andrew Clayton, and Pamela
12 S. Brown ("CNMI Defendants"). My address and phone are set forth above the caption.

13 B. The reason this application is *ex parte* is due to the fact that there is insufficient time to do a
14 noticed motion or a written stipulation because written communication with the plaintiff and other parties
15 would take weeks and my response to plaintiff's amended complaint was due on January 18, 2007.
16 Further, good cause exists to grant the motion, as set forth in the application below.

17 C. Pursuant to L.R. 7.1.h.B(1) I represent that Mark Hanson, Esq., counsel for defendant Bisom,
18 called plaintiff on February 7, 2007, and that it has been represented to me that plaintiff has no objection
19 to an extension of time up to and including February 19, 2007 for defendants to file a response to
20 plaintiff's motion for partial summary judgment. Counsel for defendant Bisom does not object. Counsel
21 for the remaining defendants will receive notice of the filing of this Motion via the Court's electronic case
22 filing system, with the exception of Mr. Sorensen whom I will inform via direct e-mail.

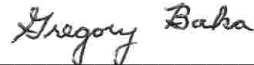
23 D. There has been no previous request for extensions or increases of time as to these motions.

24 E. Because the hearing has been set for March 15, 2007, more than a month away, this additional
25 time will have no delaying effect on hearing or determination of the motion.

1 DATED this 9th day of February, 2007.

2 OFFICE OF THE ATTORNEY GENERAL

3 MATTHEW T. GREGORY # F0205
4 Attorney General

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6 GREGORY BAKA # F0199
7 Deputy Attorney General

8 APPLICATION

9 Defendants Commonwealth of the Northern Mariana Islands, Nicole C. Forelli, William C. Bush,
10 D. Douglas Cotton, L. David Sosebee, Andrew Clayton, and Pamela S. Brown ("CNMI Defendants"),
11 by and through their counsel of record, move the court pursuant to Local Rule 7.1.h to extend the time
12 for filing their opposition to plaintiff's motion for partial summary judgment from January 18, 2007
13 to February 19, 2007. Good cause exists to grant the motion, as set forth in the declaration below.
14 A proposed order has been submitted herewith for the Court's convenience.

15 OFFICE OF THE ATTORNEY GENERAL

16 MATTHEW T. GREGORY # F0205
17 Attorney General

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19 GREGORY BAKA # F0199
20 Deputy Attorney General

21 Attorneys for CNMI Defendants

22 Dated: Friday, 9 February 2007.
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DECLARATION OF GREGORY BAKA

I, GREGORY BAKA , do hereby declare:

1. I am competent to testify, and if called to do so, I would testify in accord herewith.

2. I am the attorney for Commonwealth of the Northern Mariana Islands, Nicole C. Forelli, William C. Bush, D. Douglas Cotton, L. David Sosebee, Andrew Clayton, and Pamela S. Brown (“CNMI Defendants”) in the above-captioned proceedings. I submit this declaration in support of this motion to increase the time for filing and service of the opposition to the partial summary judgment motion set be heard on March 15, 2007. The facts stated herein are of my own knowledge.

3. The motion appears to be long and complicated. It includes 25 pages of argument and some 36 exhibits. It will require more than the normal amount of time to respond to. Because the hearing is not scheduled until March 15, 2007, there are an additional eight weeks beyond the four weeks that are prescribed in LR 7.1.c.

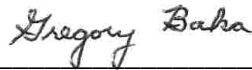
4. In order to reduce costs and expedite a response, the defendants may coordinate efforts to respond to plaintiffs’ Motion for Partial Summary Judgment which would necessitate coordinated communication and the same filing date for the defendants’ oppositions.

5. Accordingly, the CNMI Defendants requests that the time allowed by Local Rule 7.1 for filing and serving the opposition to plaintiff’s motion for partial summary judgment scheduled to be heard on March 15, 2007 be increased, making the opposition papers due on February 19, 2005, which is still five full weeks before the hearing.

1 I declare under the penalty of perjury that the foregoing is true and correct and that this
2 Declaration was executed this 9th day of February, 2007 on Saipan, Commonwealth of the Northern
3 Mariana Islands.

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5 OFFICE OF THE ATTORNEY GENERAL

6 MATTHEW T. GREGORY # F0205
7 Attorney General

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10 GREGORY BAKA # F0199
11 Deputy Attorney General

12 Attorney for CNM:I Defendants

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11 Dated: Friday, 9 February 2007.

CERTIFICATE OF SERVICE

Pursuant to Federal Rule of Civil Procedure 5(d), the undersigned declarant states as follows:

1. I am eighteen years of age or older, and I certify that I caused to be served the following documents to the last known address(es) listed below on the date(s) indicated.

2. As set forth below, this service was accomplished by personal delivery; U.S. Mail; deposit with Clerk of Court (in attorney box), cf. Fed. R. Civ. P. 5(b)(2)(D); or electronic service, see Local Rule 5.1.

Robert D. Bradshaw
P. O. Box 473
1530 W. Trout Creek Road
Calder, ID 83808-0473

Plaintiff, pro se
Tel: (208) 245-1691
Fax: N/A

Via U.S. Mail

Mark B. Hanson, Esq. # F0261
Macaranas Building, 1st Floor
Beach Road, Garapan
PMB 738, P. O. Box 10,000
Saipan, MP 96950-8900

Attorney for Defendant Bisom
Tel: (670) 233-8600
Fax: (670) 233-5262
E-mail: mark@saipanlaw.com

Via Electronic Service

Jay H. Sorensen, Esq. # F0127
c/o Shanghai, China
P. O. Box 9022
Warren, MI 48090-9022

Defendant, pro se
Tel: (86) 21-5083-8542
E-mail: subpar@fastmail.cn

Fax: same

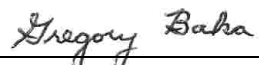
Via E-Mail

G. Patrick Civile, Esq. # F0139
Civille & Tang, PLLC
330 Hernan Cortez Ave., Ste. 200
Hagåtña, GU 96910

Attorney for dismissed judicial Defendants
Tel: (671) 477-9891/2
Fax: (671) 472-2601
E-mail: pciville@guamattorneys.com

Via Electronic Service

3. I declare under penalty of perjury that the foregoing is true and correct. Executed on Friday, 9 February 2007.


Deputy Attorney General

Attorney for Defendants Commonwealth of the
Northern Mariana Islands, Nicole C. Forelli,
William C. Bush, D. Douglas Cotton,
L. David Sosebee, Andrew Clayton,
and Pamela S. Brown ("CNMI Defendants")